

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4144-01
Bill No.: HB 1521
Subject: Law Enforcement Officers and Agencies; Search and Seizure
Type: Original
Date: January 6, 2016

Bill Summary: This proposal requires a peace officer to obtain written consent prior to conducting a consensual search of a vehicle.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety - Missouri Highway Patrol (DPS-MHP)** assume the proposed legislation would require a peace officer to obtain written consent prior to conducting a consensual search of a vehicle. This would require the following:

Modify FatPot and AFR Reporting Systems:

Management cost (15 hours @ \$56.68)	\$850
Analyst cost (60 hours @ \$50.02)	<u>\$3,001</u>
Total	\$3,851

Oversight assumes DPS-MHP is provided with core funding to handle a certain amount of activity each year. Oversight assumes DPS-MHP could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DPS-MHP could request funding through the appropriation process.

Officials from the **Missouri Department of Conservation (MDC)** assume a negative unknown fiscal impact on their department due to cost of training and printing of forms.

Oversight assumes MDC is provided with core funding to handle a certain amount of activity each year. Oversight assumes MDC could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, MDC could request funding through the appropriation process.

Officials from the **Department of Natural Resources (DNR)** assume the proposal would require every peace officer to obtain written consent from the individual authorized to give consent to search the vehicle.

In order to have the necessary forms to collect the data required, DNR estimates needing 5,000 forms annually for an estimated cost of \$10,000.

The department assumes the additional cost for the printing of the forms would be absorbed by current budget funds.

ASSUMPTION (continued)

Officials from the **Boone County Sheriff's Department** and the **Platte County Sheriff's Department** assume this proposal could have a negative unknown fiscal impact to their organization from the cost of creating the consent form as specified by the language of this proposal.

Officials from the **Cole County Sheriff's Department** assume the proposal will have a minimal fiscal impact to their organization.

Oversight assumes the local law enforcement departments are provided with core funding to handle a certain amount of activity each year. Oversight assumes the local law enforcement departments could absorb the costs related to this proposal.

Officials from the **Attorney General's Office** assume any potential cost arising from this proposal can be absorbed with existing resources.

Officials from the **Department of Social Services** and the **Springfield Police Department** each assume the proposal will have no fiscal impact on their respective organizations.

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

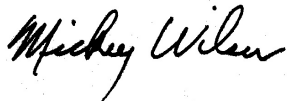
FISCAL DESCRIPTION

The proposed legislation appears to have no direct fiscal impact.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety
Missouri Highway Patrol
Attorney General's Office
Department of Natural Resources
Missouri Department of Conservation
Department of Social Services
Boone County Sheriff's Department
Cole County Sheriff's Department
Platte County Sheriff's Department
Springfield Police Department



Mickey Wilson, CPA
Director
January 6, 2016

Ross Strobe
Assistant Director
January 6, 2016